

Remarks/Arguments:

Claims 9-16 are currently pending in the application. Claims 1-8 were previously cancelled. In the Office Action dated December 20, 2005, the Abstract section was objected to based on formal requirements. In addition, claims 9 and 15 were objected to based on informalities. Claims 9-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by British Patent UK 2041122 ("Farr"). Moreover, claims 9-16 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Application Pub. No. 2001/0013448 ("Schorn et al.").

The Office Action dated December 20, 2005 and the references cited therein have been carefully considered. In view of the foregoing amendments and the following remarks, Applicant respectfully traverses the above-described objections and rejections.

Specification

Applicant has amended the Abstract section to comply with the formal requirements pertaining to Abstracts.

Claim Objections

Applicant has amended claims 9 and 15 to address the claim objections noted in the Office Action. Claims 9 and 15 have been amended solely in response to the claim objections and not in response to any of the substantive rejections under 35 U.S.C. § 102.

Claim Rejections - 35 U.S.C. § 102

In presenting the claim rejections, the Office Action states many of the rejections in the following format:

"In re claim [x], see figure [y]."

This format provides no explanation of how the claim is taught in the cited reference. That is, there is no identification of the claim element being referred to, and no identification of a component in the drawing figures that teaches or corresponds to the claim element. As a result, Applicant is not provided with a detailed explanation of the rejection, as required in the MPEP, from which Applicant can prepare an informed response. Applicant respectfully requests clarification for the claim rejections presented in this manner, and an additional opportunity to respond to those rejections. To the extent possible, Applicant will respond to the claim rejections presented in the Office Action.

Claims 9-14 (Farr)

Claim 9 recites a floating-caliper disc brake including "a locking element for radial fixation of the floating caliper on the brake holder . . . wherein the locking element is secured to the floating caliper so as to be adjustable in its radial position." The term "radial" is used numerous times in the Applicant's specification to refer to the direction extending between the caliper and brake holder. This would be represented as a vertical line in Applicant's Fig. 1B, and in Figs. 1, 2 and 4 in Farr.

The Office Action indicates that elements 5A, 13 and 19 in Farr constitute a locking element as recited in claim 9. Applicant respectfully disagrees for two reasons. First, element 5A (seen best in Fig. 4) is a leaf spring that merely biases the bridge member or caliper 10 downwardly. (Spec. p. 2, lines 26-36). The leaf spring 5A, by its very nature, is bendable so as to allow the caliper to move radially. There is no rigid component associated with leaf spring 5A to fix the caliper relative to the brake holder. Therefore, spring 5A is not a locking mechanism that radially fixes the caliper. Second, there is no indication that spring 5A is adjustable in its radial position. Leaf spring 5A may bend or deflect, but its mounted position remains the same by virtue of bolt 20. Therefore, Applicant respectfully submits that claim 9 is not anticipated by Farr.

Claims 10-14 are dependent on claim 9 and incorporate all the elements recited in claim 9. Therefore, claims 10-14 are not anticipated by Farr for at least the same reasons that claim 9 is not anticipated.

In addition, claim 10 further recites a floating-caliper disc brake as claimed in claim 9, wherein the floating caliper is supported at least radially on an associated brake pad. Farr does not teach a caliper radially supported on a brake pad. Referring to Figs. 2 and 3 in Farr, a clearance space is shown between the caliper or bridge 10 and the top of the pads 14, 15. Moreover, the specification indicates that brake pads are purposely kept out of contact with the caliper 10 so as to avoid transferring torque or drag to the caliper. (Spec., p. 2, lines 18-22). As a result, claim 10 is not anticipated by Farr for this reason as well.

Claim 11 further recites a radially extending elongated hole or other opening providing a clearance. The holes for elements 20, 33 and 12 are not radially extending elongated holes or openings arranged with any discernible clearance space around elements 20, 33 and 12. Therefore, claim 11 is not anticipated by Farr for this reason as well.

Claims 9-16 (Schorn et al.)

As noted above, claim 9 recites a floating-caliper disc brake including "a locking element for radial fixation of the floating caliper on the brake holder . . . wherein the locking element is secured to the floating caliper so as to be adjustable in its radial position." Schorn et al. does not disclose a locking element for radial fixation of the floating caliper on a brake holder. The element 29 referred to in the Office Action only fixes the caliper 13 to the outer brake pad 7. (See lines 1-3 of para. [0026] and Fig. 1). Spring element 29 does not fix the caliper 13 to the brake holder 1. Moreover, the spring element 29 only fixes the caliper in the axial direction, not radial direction. (See lines 1-3 of para. [0026]). Furthermore, there is no disclosure that indicates that spring element 29 is adjustable in its radial position. Although element 27 may be a screw, as noted in the Office Action, the opening surrounding the screw does not appear to allow for radial adjustment. Advancement of the screw in the hole would be axial displacement, not radial displacement. For all of the foregoing reasons, Applicant respectfully submits that claim 9 is not anticipated by Schorn et al.

Claims 10-16 are dependent on claim 9 and incorporate all of the elements recited in claim 9. Therefore, Applicant respectfully submits that claims 10-16 are not anticipated for at least the same reason that claim 9 is not anticipated.


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Conclusion

Based on the foregoing amendments and remarks, Applicant respectfully submits that the application is condition for allowance. Early notification to that effect is respectfully requested. If the Examiner believes that issues remain regarding the allowability of the claims, the Examiner is encouraged to contact the undersigned at (610) 407-0700.

Respectfully submitted,


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Attachment: Abstract (clean version)

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